

REMARKS/ARGUMENTS

This response is being filed within the shortened statutory period for filing a response to the outstanding Office Action. Therefore, an extension of time is not needed.

Hereinafter, the claims that are pending prior to the entry of the amendments in this response are called "currently pending claims." This response amends currently pending Claims 1-14, 16, 27, 31, 32, and 47; cancels currently pending Claims 15 and 37-46; and adds new Claims 48-58. Upon amendment, the above-identified U.S. patent application will have four independent claims (currently amended Claims 1 and 16, and currently pending Claims 17 and 33) and 46 total claims (currently amended Claims 1-14 and 16, previously presented Claims 17-26, currently amended Claim 27, original Claim 28, previously presented Claim 30, currently amended Claims 31 and 32, previously presented Claims 33-36, currently amended Claim 47, and new Claims 48-58). The Applicants previously paid for up to four independent claims and up to 46 total claims. Therefore, no fees for excess claims are due.

Support for all of the claim amendments and the new claims can be found in the originally filed application. For example, support for amending currently pending Claims 1-14, 31, 32, and 47 to claim a separator for batteries can be found in, inter alia, originally filed Claim 15. Moreover, please note that currently amended Claim 1 incorporates the limitations from currently pending Claim 15.

Support for the additional amendments to currently pending Claims 2, 4, 5, 7-9, 11, 12, and 14 can be found in, inter alia, originally filed Claims 2, 4, 5, 7-9, 11, 12, and 14, respectively. Support for the additional amendments to currently pending Claims 31 and 47 can be found in, inter alia, lines 25-31 on page 5 of the specification; and support for the additional amendments to currently pending Claim 32 can be found in, inter alia, originally filed Claim 8.

Currently pending Claim 16 is being amended to incorporate the limitations of currently pending Claim 1.

Support for amending currently pending Claim 27 can be found in, inter alia, originally filed Claims 17 and 27. Support for new Claims 48, 50, 52, 54, 56, and 58 can be found in, inter alia, originally filed Claim 15. Support for new Claims 49, 51, 53, 55, and 57 can be found in, inter alia, originally filed Claim 16.

In item 6 on page 2 of the outstanding Office Action, the Examiner rejects currently pending Claim 27 because of a typographical error. This rejection is now moot and should be withdrawn because currently amended Claim 27 does not include a typographical error.

In item 7 on pages 3 and 4 of the outstanding Office Action, the Examiner rejects currently pending Claims 1-14, 31, 32, and 37-47 under 35 U.S.C. 103(a) for allegedly being unpatentable over Van Rijn's U.S. Patent No. 5,753,014. The Applicants respectfully traverse this rejection because the Van Rijn patent does not disclose or suggest every feature that is claimed in currently pending Claims 1-14, 31, 32, and 37-47. Thus, currently pending Claims 1-14, 31, 32, and 37-47 are novel and nonobvious over the cited art (including the Van Rijn patent). Moreover, the rejection in item 7 is now moot and should be withdrawn because currently pending Claims 1-14, 31, 32, and 47 have been amended to claim a separator for batteries and because currently pending Claims 37-46 have been cancelled.

In view of the foregoing, favorable reconsideration of the amended application is respectfully requested. It is submitted that the claims of record are in condition for allowance. Allowance of the claims at an early date is solicited. o

This response amends currently pending Claims 1-14, 16, 27, 31, 32, and 47; cancels currently pending Claims 15 and 37-46; and adds new Claims 48-58. The amendments, cancellations, and additions that are described in the preceding sentence were done to improve the language of the claims and were not done to overcome the prior art, to overcome rejections under 35 U.S.C. § 112, or to overcome any other rejections or objections. The amendments, cancellations, and additions that are described in the first sentence of this paragraph shall not be considered necessary to overcome the prior art,

shall not be considered necessary to overcome rejections under 35 U.S.C. § 112, and shall not be considered necessary to overcome any other rejections or objections.

The Applicants reserve the right to seek protection for any unclaimed subject matter either subsequently in the prosecution of the present case or in a divisional or continuation application.

The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to Deposit Account No. 12-0415. In particular, if this response is not timely filed, then the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 C.F.R. § 1.136(a) requesting an extension of time of the number of months necessary to make this response timely filed; and the petition fee due in connection therewith may be charged to deposit account No. 12-0415.

I hereby certify that this correspondence is being deposited with the United States Post Office with sufficient postage as first-class mail in an envelope addressed to Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on

November 11, 2004

(Date of Deposit)

John Palmer

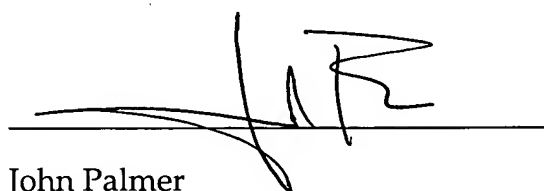
(Name of Person Signing)

(Signature)

November 11, 2004

(Date)

Respectfully submitted,



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